

Remarks

This Amendment is responsive to the Advisory Action mailed April 5, 2005. The Applicant has herein amended claims to overcome all the rejections and objections set forth therein, placing the pending claims in condition for allowance. The cancelled claims are cancelled without prejudice and without Applicant's acquiescence in any way that the final rejections have been maintained upon any bona fide basis. These amendments are proper, do not introduce new matter, do not require additional searching, are not narrowing in view of a bona fide prior art rejection, and place the application in proper condition for reconsideration and allowance of all pending claims.

Rejection Under 35 USC 102

Claims 1-3, 6-8, 10-11, 15-17, 26, and 27 were finally rejected as being anticipated by Krounbi '620. The Applicant reiterates the traversal from the After-final Amendment that was not entered of record.

Claim 1

As Applicant previously argued, Krounbi '620 cannot sustain a Section 102 rejection because it is silent regarding both reading the servo wedge and writing two or more servo bursts during the instance of the first sector position passing by the head as claimed. In the passage cited by the Examiner, Krounbi '620 discloses reading at least part of the A servo bursts and writing at least part of the B servo bursts during a first time interval. (Krounbi '620, col. 5 lines 29-32) The "first time interval" is explicitly defined as during a first revolution of the disk. (Krounbi '620, col. 7 line 29) There is no disclosure or suggestion in Krounbi '620 of both reading a servo wedge and writing two or more servo bursts during the instance that the sector passes by the head.

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has amended claim 1 to place objected-to claim 5 in independent form, thereby obviating the present objection of claim 5. Reconsideration and withdrawal of the rejection of claim 1 and the claims depending therefrom are respectfully requested.

Claim 10

Claim 10 as previously presented is allowable over the art of record for the same reason as above; that is, for example, neither Krounbi '620 nor any other art of record discloses or suggests the reading of a servo burst and the writing of two or more servo bursts *during the instance of the first sector position passing by the head....*

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has amended claim 10 to place objected-to claim 18 in independent form, thereby obviating the objection of claim 18. Specifically, the following language from the Examiner's statement of reasons for indication of allowable subject matter has been included verbatim in currently amended claim 10: *(a processor for)...finding a head offset and switching to a different order the reading and writing for each sector position after reading the servo wedge and the writing servo bursts according to a first order for a number of tracks equal to the head offset.* Reconsideration and withdrawal of the present rejection of claim 10 and the claims depending therefrom are respectfully requested.

Claims 26 and 27

Claims 26 and 27 as previously presented are allowable over the art of record for the same reason as above; that is, for example, neither Krounbi '620 nor any other art of record discloses or suggests the reading of a servo burst and the writing of two or more servo bursts *in a first sector...during less than one revolution of the media*. Particularly, the Applicant expressly traverses the Examiner's statement from the Advisory Action that amended claims 26 and 27 recite timing features of the recording operation that were not before presented. Clearly, for example but without limitation, these timing features are recited in the language of original claims 6-9.

Nevertheless, solely in order to advance prosecution on the merits in the face of the disputed finality of the rejection, the Applicant has cancelled these claims without prejudice. Withdrawal of the rejection of claims 26 and 27 is respectfully requested.

Allowed Claims and Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 19-22, 24, and 25. The Applicant further gratefully acknowledges the indication of allowability of claims 5, 9, 12, 14, and 18. As discussed above, claim 1 has been amended to place objected-to claim 5 in independent form, and claim 10 has been amended to place objected-to claim 18 in independent form. Objected-to claims 9, 12, and 14 have also been amended to place them in independent form.

Conclusion

This is a complete response to the Advisory Action mailed April 5, 2005. The Applicant respectfully requests that the Examiner enter the above amendments and allow all of the pending claims in accordance with the indications of allowability in the Advisory Action. The Examiner is invited to contact the below signed Attorney should any questions arise concerning this response.

Respectfully submitted,

By: 

Mitchell K. McCarthy, Registration No. 38,794
Randall K. McCarthy, Registration No. 39,297
Fellers, Snider, Blankenship, Bailey and Tippens
100 N. Broadway, Suite 1700
Oklahoma City, Oklahoma 73102
Telephone: (405) 232-0621
Facsimile: (405) 232-9659
Customer No. 33900